

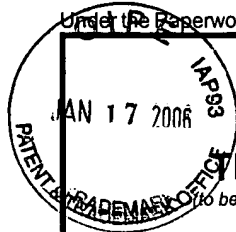
Please type a plus (+) sign inside this box +

PTO/SB/21 REV 1 (12/97)

Approved for use through 09/30/2000. omb 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(Do not be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (Do not be used for all correspondence after initial filing)	Application Number	10/749,729	
	Filing Date	December 30, 2003	
	First Named Inventor	Jeffrey A. Humber	
	Group Art Unit	3751	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	7	Attorney Docket Number	1896-059

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Checklist and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Notification of Loss of Small Entity Status; Correction of Fee Payment as Result of Mistaken Small Entity Status Pursuant to 37 CFR §1.28</u>
<b>Remarks:</b>  Transmitted herewith are: Fee Transmittal Form, in duplicate, with \$395 check; Notification of Loss of Small Entity Status; Correction of Fee Payment as Result of Mistaken Small Entity Status Pursuant to 37 CFR §1.28; and a prepaid Return Postcard.		

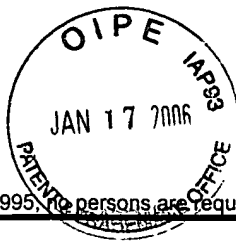
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	(Atty) Michael H. Jester Reg. No. 28,022 A Professional Law Corporation
Signature	
Date	January 12, 2006

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail (postage pre-paid) in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this date: <u>January 12, 2006</u>			
Typed or printed name	Michael H. Jester		
Signature		Date	1/12/06

Please put a mark inside this box: ☒



PTO/SB/17 REV 1 (11/00)

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## FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.  
These are the fees effective October 1, 1997.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12  
See 37 C.F.R. §§ 1.27 and 1.28

### Complete If Known

Application Number	10/749,729
Filing Date	December 30, 2003
First Named Inventor	Jeffrey A. Humber
Examiner Name	Charles E. Phillips
Group / Art Unit	3751
Attorney Docket No.	1896-059

**TOTAL AMOUNT OF PAYMENT** \$ 395

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:  
Deposit Account Number: 50 0626  
Deposit Account Name: Michael H. Jester
- ☐ Charge Any Additional Fee Required Under CFR 1.16 and 1  
☐ Charge the Issue Fee Set in 37 CFR 1.18 at Mailing of Notice of Allowance (37 CFR 1.311(b)).

2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Code	Small Entity Code	Fee Description	Fee Paid
1011 300	2011 150	Utility filing fee	
1012 200	2012 100	Design filing fee	
1013 200	2013 100	Plant filing fee	
1014 300	2014 150	Reissue filing fee	
1015 200	2015 100	Provisional filing fee	
SUBTOTAL (1) (\$)			

#### 2. EXTRA CLAIM FEES

Total ☐ - 20\*\* = ☐ x ☐ = ☐  
Independent ☐ - 3\*\* = ☐ x ☐ = ☐  
Multiple Dependent ☐ = ☐ x ☐ = ☐  
\*\* or number previously paid, if greater; For Reissues, see below

Large Entity Code	Small Entity Code	Fee Description
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple dependent claim
1204 200	2204 100	** Reissue independent claims over original patent
1205 50	2205 25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

#### 3. ADDITIONAL FEES

Large Entity Code	Small Entity Code	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for response within first month	
1252 450	2252 225	Extension for response within second month	
1253 1,020	2253 510	Extension for response within third month	
1254 1,590	2254 795	Extension for response within fourth month	
1255 2,160	2255 1,080	Extension for response within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive unavoidably abandoned application	
1453 1,500	2453 750	Petition to revive unintentionally abandoned application	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1,100	2503 550	Plant issue fee	
1807 50	1807 50	Petitions related to provisional applications	
1806 180	1806 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property	
1809 790	2809 395	Filing a submission after final rejection	
1810 790	2810 395	For each additional invention to be examined	

Other fee (specify) Search Fee (500/250)  
Other fee (specify) Examination Fee (200/100)  
Other fee (specify) Balance of large entity fee due for 7/8/05 filing of RCE  
Other fee (specify) \_\_\_\_\_

395.00

SUBTOTAL (3) (\$) **395.00**

\*Reduced by Basic Filing Fee Paid

### SUBMITTED BY

Typed or Printed Name Michael H. Jester

Signature

*Michael H. Jester*

Date

1-12-06

### COMPLETE (if applicable)

Reg. Number 28,022

Deposit Account User ID 50 0626



## **NOTIFICATION OF LOSS OF SMALL ENTITY STATUS**



In re Patent application of: )  
)  
Jeffrey A. Humber ) Confirmation No.: 9048  
)  
Serial No.: 10/0749,729 ) Group Art Unit: 3751  
)  
Filed: December 30, 2003 ) Examiner: Charles E. Phillips  
)  
For: *Closet Flange with Knockout* )  
*Retainer* )

**CORRECTION OF LOSS OF FEE PAYMENT AS THE RESULT OF  
MISTAKEN SMALL ENTITY STATUS PURSUANT TO 37 CFR §1.28**

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The undersigned first learned on January 10, 2006, that the above-captioned patent application may have lost its entitlement to small entity status as the result of the acquisition of its assignee, IPS Corporation, by Nautic Partners at the end of June, 2004.

It is noted for the record that on July 8, 2005, a REQUEST FOR CONTINUED EXAMINATION (RCE) was mailed to the USPTO with an amendment and the small entity fee of \$395. As the current fee for filing an RCE is \$790, a check in the amount of \$395 is being transmitted herewith to cover the fee deficiency. Upon information and belief the small entity RCE fee was inadvertently mailed to the USPTO July 8, 2005. Authorization is hereby given to charge Deposit Account No. 50-0626 for any additional fee required.

Also transmitted herewith is a NOTIFICATION OF LOSS OF SMALL ENTITY STATUS . It should be noted, however, that the undersigned is not aware of the precise legal relationship

between Nautic Partners and IPS Corporation, nor is it aware of the size of Nautic Partners or of the various entities that may be owned thereby, controlled thereby or related thereto. Accordingly, the undersigned is not certain that the subject patent application is not entitled to small entity status. However, out of an abundance of caution, the NOTIFICATION is being filed.

Respectfully submitted,

 11/12/06

By: Michael H. Jester  
Attorney for Applicant  
Registration No. 28,022